



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

COPY MAILED

BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH VA 22040-0747

JUL 14 2009

OFFICE OF PETITIONS

In re Application of :
Masazumi Yasumoto :
Application No. 10/574,904 : DECISION ON PETITION
Deposited: April 6, 2006 :
Attorney Docket No. 14220714PUS1 :
:

This is a decision on the petition to withdraw the holding of abandonment under 37 CFR 1.181, filed June 9, 2009.

The petition is **GRANTED**.

The above-identified application was held abandoned for failure to timely file a response to the "Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures", mailed October 20, 2008. This Notice set an extendable period for reply of two (2) months for applicant to a copy of the Sequence Listing in computer readable form, together with a statement that the contents of the Sequence Listing in computer readable form is identical to the written sequence listing and includes no new matter. The Office mailed a Notice of Abandonment on May 15, 2009, stating that no reply had been received.

A review of the application file reveals the presence of an Sequence Listing, filed on November 17, 2008. In addition, applicant submitted a statement that the contents of the Sequence Listing in computer readable form is identical to the written sequence listing and includes no new matter. Accordingly, it is obvious that the Notice of Abandonment was mailed in error.

In view thereof, **the holding of abandonment is withdrawn.**

The matter is being forwarded to the Office of Patent Application Processing for pre-examination processing, using the Sequence Listing filed on November 17, 2008 (a copy of which was also supplied on petition).

Telephone inquiries regarding this decision should be directed to the undersigned at (571)272-3207.

Cliff Congo

Cliff Congo
Petitions Attorney
Office of Petitions